

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	]	
	]	
v.	]	No. 05-CR-30042-MLW
	]	
CESAR CRUZ and	]	
RICARDO DIAZ	]	

**STATUS REPORT REGARDING POTENTIAL CHANGE OF PLEA**

In paragraph 7 of its order of October 30, 2006, the Court ordered the parties to report by November 10, 2006, on the status of plea negotiations.

As of this date the parties do not know if the case will be resolved short of trial. The government is in active discussions with counsel for Cesar Cruz, and there has been progress. As to Ricardo Diaz, his decision on whether to plead guilty may in part depend on whether Mr. Cruz chooses to do so.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

CESAR CRUZ  
Defendant

RICARDO DIAZ  
Defendant

By: /s/ Andrew Lelling  
Andrew Lelling  
Sharron Kearney  
Assistant U.S. Attorneys

/s/ Joseph Franco  
Joseph Franco, Esq.  
Counsel for Cesar Cruz

/s/ Terry Nagel  
Terry Nagel, Esq.  
Counsel for Ricardo Diaz

Date: November 9, 2006